

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

CLERK'S OFFICE
U.S. DISTRICT COURT
AT ROANOKE, VIRGINIA
FILED
July 18, 2025
Laura A. Austin, Clerk
By: *s/ Kelly Anglin*
Deputy Clerk

UNITED STATES OF AMERICA)	
)	Criminal No. 5:21-cr-00023
v.)	
)	By: Elizabeth K. Dillon
RICHARD E. MOORE)	Chief United States District Judge

ORDER DENYING MOTION TO CONTINUE

Pending before the court is defendant Richard E. Moore's motion asking to continue to the sentencing currently scheduled for Monday, July 21, 2025, for a period of ninety days. (Dkt. No. 232.) In it, Moore requests that the court continue the sentencing to allow him to receive inpatient mental health treatment at an unspecified "AMFM Mental Health Treatment Center for 45 to 60 days." (*Id.*) By a separate email to chambers, with copies to counsel for the United States, he has provided a copy of a "financial agreement" suggesting that he was approved to be admitted to an AMFM facility on July 17, 2025.¹ The contract does not appear to be signed by Moore.

The United States opposes any continuance. (Dkt. No. 233.) Among other reasons for its opposition, the United States notes the lack of supporting evidence and the fact that the motion is being filed at the last minute.

Critically, Moore has not provided any evidence from any physician or other health care professional stating that he is unable to attend the sentencing. Furthermore, as suggested by the United States, Moore is free to request, at sentencing, that he be permitted to report to serve any sentence after completion of his treatment. But the voluntary seeking of mental health treatment immediately before his sentencing date does not warrant a continuance. This is especially true

¹ Neither Moore nor his counsel has yet asked to file this document on the docket, under seal or otherwise.

because Moore has had time to seek treatment since the last scheduled sentencing date of May 29, 2025, and he has provided no evidence of any prior attempts to obtain treatment or any evidence to show he was unable to obtain treatment before the last few days. Indeed, the contract provided to the court was signed by a “financial analyst” for the treatment provider as early as July 16, 2025, but the motion to continue was not received until today.

The court is particularly concerned with this delay until the last business day before sentencing because the original sentencing date was postponed at the last minute, also because of Moore’s alleged health issues.

Because Moore has not shown good cause for a continuance nor provided any evidence to support that he is medically unable to appear for his sentencing, the motion to continue (Dkt. No. 232) is DENIED. As required by the terms of his bond and consistent with those conditions, the court expects Moore to be present for his sentencing Monday, July 21, 2025, at 11:00 a.m.

Entered: July 18, 2025.

/s/ Elizabeth K. Dillon
Elizabeth K. Dillon
Chief United States District Judge